

REMARKS**Status Of Claims**

Upon entry of this amendment, claims 2-10 and 12-14 are pending in this application. No claims are amended. No new matter is added.

Response to Claim Rejections under 35 U.S.C. § 102

Claims 2-4, 9-10 and 12-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hirai et al (6,952,465; "Hirai '465").

Applicant respectfully notes the Office Action of June 7, 2006, acknowledges Applicant's claim to foreign priority under 35 U.S.C. § 119 and indicates that all certified copies of priority documents have been received. Accordingly this application has benefit of a foreign priority date of February 28, 2003 (*see* Applicant's declaration, on page 1). Applicant claims priority to Japan Application Number 2003-054519 which was filed on February 28, 2003.

Hirai '465 was filed on October 23, 2003. Hirai '465 is a U.S. patent based on a foreign national filing and is effective as of the U.S. filing date only (*See*, MPEP § 2136.06). Hirai '465 is not a PCT application. Applicant's foreign priority date of February 28, 2003, is before Hirai '465's filing date of October 23, 2003. Accordingly, later-filed Hirai '465 is not available as prior art under 35 U.S.C. § 102(e). Applicant respectfully submits this rejection is improper and request all rejections under 35 U.S.C. § 102(e) over Hirai '465 be withdrawn.

Response to Claim Rejections under 35 U.S.C. § 103

Claims 5-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirai '465 in view of Kaifu et al (6,075,256; "Kaifu '256").

As stated above, Applicant respectfully asserts Applicant's foreign priority date of February 28, 2003, is before Hirai '465's filing date of October 23, 2003. Accordingly, later-filed Hirai '465 is not available as prior art under 35 U.S.C. § 103. Applicant respectfully submits this rejection is improper and request all rejections under 35 U.S.C. § 103(a) over Hirai '465 be withdrawn.

CONCLUSION

Applicant respectfully asserts that the application is now believed to be in a form for allowance and such action is hereby solicited.

If any points remain an issue which the Examiner feels may be best resolved through an additional personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5295. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
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Dated: August 7, 2006

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